

APPENDIX A

STAKEHOLDER INVOLVEMENT IN A WATERSHED PERMITTING ANALYTICAL APPROACH AND AN NPDES WATERSHED FRAMEWORK

Identifying Stakeholders and Facilitating their Participation

Throughout the *NPDES Watershed-based Permitting Implementation Guidance*, EPA emphasizes the importance of providing stakeholders with opportunities to participate in watershed-based permitting. The introduction to the NPDES Watershed Navigator reiterates that stakeholder involvement is key to conducting a watershed permitting analytical approach and applying an NPDES watershed framework within a watershed.

Early and continuous stakeholder involvement can result in a core of supporters that have ownership over the watershed permitting analytical approach and an NPDES watershed framework. Ideally stakeholder involvement will result in empowered stakeholders who are willing to implement the results of the process. Although incorporating stakeholder involvement is important, it is not always easy. Stakeholder involvement arguably requires additional time and resources for any project, particularly when the project involves contentious issues such as developing new permit limitations or seeking collaboration from unregulated entities in the watershed. Emphasis on intensive stakeholder involvement might raise concerns among individuals interested in integrating a watershed approach into NPDES permitting. Questions demonstrating these concerns include the following:

Why Involve Stakeholders?

Stakeholders are more than just *the public*—they are representatives of communities, organizations, agencies, institutions, and households that can significantly impact the watershed-based permitting process. By supplying data, financial resources, technical expertise, or a personal opinion, stakeholders can make contributions that will enrich both the process and the final strategy. In some cases, they might even be the catalysts for this process. Give stakeholders the opportunity to share their time and talents—and let them know that they are heard.

- How will the need for comprehensive stakeholder involvement affect the timely issuance of NPDES permits?
- How will a breakdown in stakeholder involvement during the process affect the final outcome?
- How can a watershed permitting analytical approach and an NPDES watershed framework continue without full support of all watershed stakeholders?

A well thought-out plan for stakeholder involvement that includes an emphasis on outreach has the potential to alleviate these concerns. The remainder of this section focuses on developing and implementing a stakeholder involvement and outreach strategy for use in the context of conducting a watershed permitting analytical approach and applying an NPDES watershed framework.

Developing the Stakeholder Involvement and Outreach Strategy

A stakeholder strategy is a plan of action for education and participation that goes beyond basic regulatory requirements, such as public notices and public hearings. Because every watershed is composed of unique stakeholders, the details of a strategy will also be unique to a specific watershed. Yet, each strategy is likely to share basic components that are essential to generating meaningful stakeholder input. These basic components might include a comprehensive list of

stakeholders, an assessment of stakeholders' characteristics, tailored educational materials, and a suite of participation opportunities. A strategy that reflects the interests and concerns of stakeholders within the watershed is likely to generate meaningful participation. Some of the activities associated with the development of the stakeholder involvement and outreach strategy are:

- Identifying a comprehensive list of stakeholders
- Assessing stakeholder awareness of watershed issues
- Educating stakeholders on watershed issues, the watershed approach, and NPDES permitting
- Identifying opportunities for stakeholders to participate in steps throughout the watershed permitting analytical approach and an NPDES watershed framework

This section provides a detailed discussion of the suggested activities and anticipated results, as well as a list of helpful resources for undertaking this step. Each activity recommended for stakeholder strategy development and implementation is discussed below.

What Motivates Stakeholders to Take Action?

Successful strategies for stakeholder involvement build upon an understanding of stakeholders' attitudes, values, concerns, and beliefs to motivate participation. Meaningful stakeholder involvement results from stakeholders obtaining information on problems and potential solutions and deciding that there is need for them to take action. Those actions could range from attending regular meetings to obtaining and sharing watershed data. Without understanding the process and the role that they can play, stakeholders are unlikely to participate. Therefore, raising awareness and educating stakeholders are important precursors to action. Illustrating how problems or issues relate to something stakeholders care about is also essential to motivating stakeholders to take action. No matter how glossy or fun educational materials might be, outreach messages have to reflect stakeholders' values, beliefs, and concerns and demonstrate potential benefits to prompt stakeholders to take action.

Activity: Identify Comprehensive List of Stakeholders

Initiating a very broad stakeholder strategy will help ensure that anyone directly or indirectly impacted by the watershed permitting analytical process and an NPDES watershed framework has an invitation to participate. In some cases, stakeholders might actually initiate the process, which might ensure initial stakeholder involvement to a degree. Even if stakeholders do initiate the process, EPA encourages the permitting authority to ensure that the reach of stakeholder participation is extended to capture all potential interested parties. The scope of interested stakeholders can gradually focus over time as the overall project scope becomes focused.

Identifying stakeholders is an iterative process. The process might begin with a small group of individuals who are knowledgeable about the watershed and could result in a comprehensive network of individuals and organizations that represent the diverse interests within the watershed. Individuals responsible for initiating the process (e.g., permitting authority, group of point sources, watershed organization) might also initiate the stakeholder identification process, tapping into local contacts that are familiar with the watershed. Together, this small group could brainstorm a list of the usual suspects—individuals and organizations that are active within a watershed and are obvious stakeholders. Using this initial list, the permitting authority can identify less obvious, but equally important, stakeholders such as long-time watershed residents and frequent water resource users. To expand the list of stakeholders, the permitting authority might use one or more techniques such as questionnaires, focus groups, and personal interviews. This formal process could continue until all potential interests within the watershed make it onto the comprehensive list. Compiling and maintaining a list of active stakeholders will help to manage this process. It is important to check with local environmental organizations because they may have gone through a similar exercise for other projects that require stakeholder involvement and could be willing to share their contact list for this process.

Techniques for Obtaining Information From and About Stakeholders

Observation. This technique involves watching the activities and interactions of stakeholders. The focus is on listening and recording information on opinions and relationships.

Interview. An interview helps with understanding what a representative stakeholder thinks about specific issues. It generates very detailed information and can establish an interpersonal connection.

Focus Group. This technique is essentially a group interview. The goal is for participants to state what they think about a series of questions and to serve as a catalyst for generating thoughts and observations that they might not have thought of individually.

Survey. This approach is useful for acquiring detailed information on perception and values from a broad audience. It might vary in length and question type, depending on where and how it is to be administered and the type of information it is

Activity: Assess Stakeholder Awareness of Watershed Issues

While compiling the stakeholder list and establishing an initial connection with stakeholders, the permitting authority might use that interaction as an opportunity to gather more than just contact information. For example, such interaction could be used to assess what stakeholders know, and do not know, about issues in the watershed and the NPDES permitting process. As mentioned earlier in this section, action is predicated on awareness and education. Finding out just how

aware stakeholders are about watershed issues will help to determine if more education is necessary or if launching immediately into action is appropriate.

EPA recommends that the permitting authority try to capture the concerns, issues, and perceptions of stakeholders; this type of information will play a significant role throughout the process, particularly in developing effective educational materials, planning involvement opportunities, and generating a feasible strategy. Using the theory that perception is reality, understanding the attitudes and beliefs of stakeholders will help identify potential challenges related to:

- Stakeholder collaboration (e.g., one interest group believes that another interest group is responsible for problems within the watershed and will work together only under certain conditions)
- Watershed permitting analytical approach implementation (e.g., nonpoint source interest groups do not think that nonpoint source pollution is causing water quality impairment, therefore, these groups do not agree to install recommended best management practices)

There are a number of recommended tools and techniques for assessing stakeholders' level of awareness, concerns, values, and perceptions. An in-depth discussion of these tools and techniques are available in existing EPA resources such as *Getting In Step: A Guide for Conducting Watershed Outreach Campaigns* (USEPA 2003a) and *Community Culture and the Environment: A Guide to Understanding a Sense of Place* (USEPA 2002).

Activity: Educate Stakeholders on Watershed Issues and the NPDES Permitting Process

Tailored educational materials are an important component of an overall stakeholder involvement strategy. These materials are important tools for increasing awareness and encouraging action; therefore, it is important that they contain clear, succinct, and meaningful information tailored to a specific audience. If stakeholders within the watershed have conducted watershed-level education and outreach, appropriate educational materials on basic watershed issues might already exist. If there are not educational partners within the watershed, it might be helpful to develop materials specific to a watershed approach and how the NPDES permitting process fits into that approach.

When developing educational materials, EPA recommends that the permitting authority should use information about stakeholders such as demographics, knowledge of watershed issues, and information distribution channels to determine what the educational materials should contain, how to present information, and how the final product will reach the target audience(s). Information contained in EPA's *Getting In Step: A Guide for Conducting Watershed Outreach Campaigns* provides a detailed approach for conducting effective outreach that incorporates social marketing techniques (USEPA 2003a).

In addition, the Nonpoint Source Outreach Toolbox, intended for use by state and local agencies and other organizations interested in educating the public on nonpoint source pollution or stormwater runoff, is available at <http://www.epa.gov/nps/toolbox>. The toolbox contains a variety of resources to help develop an effective and targeted outreach campaign, including a searchable catalog of nearly 800 print, radio, and TV ads and outreach materials.

Activity: Identify and Implement Opportunities for Stakeholders to Participate

Public involvement includes not only identifying stakeholder concerns, but also the mechanisms for stakeholders to express ideas and become a part of the overall process. Early and continuous involvement is important because stakeholders will play an important role throughout the process, including implementation. There are opportunities for stakeholders to participate in every step of the watershed permitting analytical approach and an NPDES watershed framework. EPA recommends that a permitting authority consider how much stakeholder involvement can realistically occur given time and financial constraints. Keep in mind, the more stakeholders are involved in the process, the more likely they are to be involved when it comes time for implementation—the time when stakeholder involvement is imperative for success!

When identifying opportunities for stakeholder participation, the permitting authority might look for activities that will meet regulatory requirements and even activities that go beyond these requirements. Public meetings can be an effective mechanism for stakeholders to voice their concerns and perspectives, while becoming educated on the problems, process, and potential solutions. Beyond public meetings, stakeholders can participate in a number of ways ranging from conducting specific research assignments on watershed issues to planning and hosting watershed site visits. Provided below are details related to planning and conducting public meetings, as well as creative ideas for stakeholder action.

Planning and Conducting Public Meetings

There is a range of public meeting styles and formats that can both engage stakeholders and generate the outcomes necessary to move the process forward. The key is integrating the goals and interests of stakeholders into the goals of the process. Initial public meetings can establish relationships among stakeholders and the individuals responsible for managing the process. Other meetings can provide stakeholders with the opportunity to identify scenarios, exchange ideas, evaluate options, and achieve consensus. The goal of each meeting will influence the meeting format and structure (e.g., brainstorming session, small group meetings, forum, public hearing), important considerations when planning and facilitating.

To initiate planning, articulate the goals and objectives of each public meeting to determine the appropriate meeting format, agenda, location, and facilitation approach. Described below are a few examples of public meeting formats and suggestions for using these formats.

- **Brainstorming sessions.** This type of meeting is effective for exchanging ideas, concerns, and perspectives and generating options without passing judgment. Brainstorming sessions should make participants feel comfortable and generate a high level of participation. Stakeholders can participate in brainstorming sessions as a large group or in multiple small groups with report out sessions to the larger group.
- **Small working groups.** Through this type of meeting, stakeholders can establish relationships with other members of the group while problem solving. Small working groups are useful for tackling discrete problems, such as evaluating scenarios that might prove too difficult to accomplish in a large group setting. Small groups can work on the same problem or scenario, or have different issues to address with report-out sessions at the end of the meeting.

- **Public hearings.** This is the most formal type of public meeting, often used to generate a formal public record that captures the issues and concerns of stakeholders. Public hearings generally consist of presentations followed by a question and answer session. These meetings, which may be required at certain points in the permitting process, are useful for capturing the varying perspectives of stakeholders and identifying recommended alternatives.
- **Open houses.** This type of meeting is useful for generating interest and conducting initial education. Open houses are very informal, often consisting of information booths and agency representatives that circulate through the meeting room. These relaxed meetings can serve as a way for stakeholders to get more information on watershed issues and determine if they would like to participate in future activities.
- **“Sunshine” meetings.** These meetings often take place after the commencement of a watershed management process as a way to update stakeholders on progress and activities. They are an interactive progress reporting mechanism, as opposed to printed updates, to keep stakeholders actively involved and interested. Sunshine meetings not only keep stakeholders informed of recent activities and challenges, but also ensure that lines of communication remain open and perspectives have not changed during the course of the process.

Public meetings can integrate several of the formats described above, depending on the stated goals and objectives. In addition, several of these formats, such as brainstorming sessions and sunshine meetings, could lend themselves to integration into regularly scheduled meetings of one or more stakeholder groups. Permitting authorities can take advantage of these meetings to add NPDES permitting topics to the existing meeting agenda. These meetings provide the opportunity for the permitting authority to go to the stakeholders rather than always requiring the stakeholders to go to the permitting authority. Meeting format becomes even more important when the goal is to achieve consensus among stakeholders. Achieving consensus among all stakeholders can prove difficult for many reasons, including size of the group, polarization of views, and insufficient time on the agenda. Using the appropriate meeting format can alleviate some of the challenges associated with consensus-based decisionmaking. EPA’s guide titled *Getting In Step: Engaging and Involving Stakeholders in Your Watershed* provides tips and techniques for planning and facilitating stakeholder meetings (USEPA 2003b).

The activities described above should produce the following resources:

- Comprehensive list of stakeholders
- Plan for developing targeted educational materials
- Plan for conducting public meetings and other stakeholder involvement activities

These resources are essential to developing and implementing a stakeholder involvement strategy throughout the watershed permitting analytical approach and an NPDES watershed framework.

Resources for Identifying Stakeholders and Facilitating their Participation

USEPA (U.S. Environmental Protection Agency). 2002. *Community Culture and the Environment: A Guide to Understanding a Sense of Place*. Washington, DC. Available at www.epa.gov/CARE/library/community_culture.pdf

USEPA (U.S. Environmental Protection Agency). 2003a. *Getting in Step: A Guide for Conducting Watershed Outreach Campaigns*. Washington, DC. Available at www.epa.gov/owow/watershed/outreach/documents/getnstep.pdf

USEPA (U.S. Environmental Protection Agency). 2003b. *Getting in Step: Engaging and Involving Stakeholders in Your Watershed*. Washington, DC. Available at www.epa.gov/owow/watershed/outreach/documents/stakeholderguide.pdf